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| 10/808,844      | 03/25/2004  | Nadav Rave           | J1044-20012         | 6732             |

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EXAMINER

PATEL, KIRAN B

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3612

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/808,844

Applicant(s)

RAVE ET AL.

Examiner

Kiran B. Patel

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-19 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/29/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### **Non-Final Rejection**

### **Claim Rejections - 35 USC § 112**

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim(s) 1-19, as best understood, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim(s) 13-15, it appears that "The method of claim" should be "The panel of claim" to provide proper antecedent basis.

2. Claim(s), elected for prosecution, are confusing and are not clear because claimed limitations, (Claim(s) 1, an impact force is applied to said inner layer and the V-shaped groove provides for a hinge point when the air bag is deployed such that the instrument panel directs the air bag toward a vehicle occupant; Claim(s) 5, an expandable air bag forming a portion of a supplemental restraint system mounted adjacent said inner layer; Claim(s) 8, a vehicle having an air bag; an impact

force is applied to the inner layer and the V-shaped groove provides for a hinge point when the air bag is deployed such that the instrument panel directs the air bag toward a vehicle occupant; Claim(s) 12, the air bag is deployed such that the instrument panel directs the air bag toward a vehicle occupant.; Claim(s) 16, the air bag is deployed such that the instrument panel directs the air bag toward a vehicle occupant), are few examples of limitations not shown in the figures and/or lacks support in the specification and therefore fails to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These limitations must be shown or the feature(s) canceled from the claim(s). Applicant is requested to go through the whole application and ensure that the claimed matter has been described in the specification and shown in the drawing in such a way as to convey to one skilled in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Correction is required.

**Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim(s) 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Bauer (5,082,310).

Regarding Claim(s) 1-19, Bauer (5,082,310) discloses the invention as claimed to include a fragmentation-resistant instrument panel 14 an outer layer 130 having an inner surface; a core 128 of expanded plastic foam of a predetermined shape and having an inner surface, said core secured to the inner surface of the outer layer; an inner layer 105 having an inner surface fixedly secured to the inner surface of said core to thereby at least partially encapsulate said expanded plastic foam between the inner layer and said outer layer; and an inverted, generally V-shaped groove 112 in the core of expanded plastic, said V-shaped groove having an open side open to the to the inner surface of the inner layer and a closed side adjacent to the inner surface of the outerlayer; wherein said expanded plastic

foam comprises a plurality of small polypropylene beads that are joined to one another by the application of heat thereto; wherein said outer layer comprises a material selected from the group consisting of textiles, thermoplastic polyolefins and polyvinylchloride; wherein the inner layer is a thermoplastic film material; wherein the inner layer is reinforced with one or more textiles.


### **Conclusion**

4. The prior art made of record in attached Notice of Reference Cited (PTO-892) and not relied upon is considered pertinent to applicant's disclosure. This art of record shows various features similar to the applicant's invention.

5. Any inquiry concerning this communication or earlier communications should be directed to Primary Examiner Kiran B. Patel whose telephone number is 571-272-6665. The examiner can normally be reached on M-F from 8:00 to 5:00. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Application/Control Number: 10/808,844  
Art Unit: 3612

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Kiran B. Patel, P. E.  
Primary Examiner  
Art Unit 3612  
April 29, 2005